

MTS-3553US

PATENT

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.: To Be Assigned
Applicant: Toru MIYANO
Filed: To Be Assigned
Title: DISK APPARATUS, DISK APPARATUS CONTROLLING METHOD,
PROGRAM AND RECORDING MEDIUM (AS AMENDED)
TC/A.U.: To Be Assigned
Examiner: To Be Assigned
Confirmation No.: To Be Assigned
Docket No.: MTS-3553US

INFORMATION DISCLOSURE STATEMENT

Mail Stop PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (R&P) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese references are not in the English language:

- 1) 2002-238008
- 2) 2002-109873
- 3) 05-074038
- 4) 04-060956

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References 1) to 3) were cited in a search report by a foreign Patent Office in a patent application corresponding to the above-identified patent application. A copy of this search report and of the English translation thereof, which indicate the degree of relevance found by the foreign office, are transmitted herewith. MPEP 609 IIIA(3), second paragraph.

Reference 4) includes an English language abstract and a "concise explanation" under 37 CFR § 1.98(a)(3) is set forth in the background portion of the specification.

This Information Disclosure Statement is being filed concurrently with the above-referenced application.

Respectfully submitted,

Daniel N. Calder

Daniel N. Calder, Reg. 27,424
Attorney for Applicant

DNC/fp

Enclosures: PTO Form 1449 (2 sheets)
Copies of (4) References
Japanese Search Report and English translation thereof

Dated: March 23, 2005

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

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Kathleen Libby
KATHLEEN LIBBY

PTO/SB/08A (AW 4/25/03) (04-03)
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SHEET 1 of 2

Complete if Known

Application Number	To Be Assigned	10/528793
Filing Date	Herewith	
First Named Inventor	Toru MIYANO	
Art Unit	To Be Assigned	
Examiner Name	To Be Assigned	
Attorney Docket No.	MTS-3553US	

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date (MM-DD- YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
/O.A./		JP 2002-238008 A (with English abstract)	08/23/02	MATSUSHITA ELEC IND CO LTD		<input type="checkbox"/>
/O.A./		JP 2002-109873 A (with English abstract)	04/12/02	TOSHIBA CORP.		<input type="checkbox"/>
/O.A./		JP 05-074038 A (with English abstract)	03/26/93	OKI ELECTRIC INDUSTRY CO., LTD.		<input type="checkbox"/>
/O.A./		JP 04-060956 (with English abstract)	02/26/92	BROTHER IND LTD		<input type="checkbox"/>
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Examiner Signature	/Oluwaseun Adegoye/	Date Considered	01/13/2010
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¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

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⁴For Japanese patent documents, the Indication of the year of the reign of the Emperor must precede the serial number of the patent document.

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Application Number	To Be Assigned	10/528793
Filing Date	Herewith	
First Named Inventor	Toru MIYANO	
Art Unit	To Be Assigned	
Examiner Name	To Be Assigned	
Attorney Docket No.	MTS-353US	

NON-PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature	/Oluwaseun Adegeye/	Date Considered	01/13/2010
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